

United States District Court

EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

DUSTIN MITCHELL, #2221593

v.

DENTON COUNTY SHERIFF'S OFFICE,
ET AL.

§ Civil Action No. 4:18-CV-343
§ (Judge Schell/Judge Nowak)
§
§

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636 (Dkt. #48). On August 6, 2021, the report of the Magistrate Judge (Dkt. #96) was entered containing proposed findings of fact and recommendations that *pro se* Petitioner Dustin Mitchell's civil rights lawsuit pursuant to 42 U.S.C. § 1983 be dismissed. Specifically, the Magistrate Judge recommended that Defendants Denton County Sheriff's Office, Sheriff Murphree, Captain Rich, and DO Bashir's Motion to Dismiss pursuant to Rule 12(b) (Dkt. #68) be granted and the entirety of Plaintiff's suit against these defendants be dismissed, and further that Plaintiff's claims against Defendants Sergeant Cordell, Corporal Shultz, Aramark Correctional Services, LLC, FNU Daniels, Robin LNU, Mona LNU, and Brandon LNU be dismissed under 28 U.S.C. § 1915. On April 7, 2021, this case was transferred to the undersigned (Dkt. #88). Having received the report of the Magistrate Judge, and no objections thereto having been timely filed, the court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the court.

It is therefore **ORDERED** that *pro se* Petitioner Dustin Mitchell's civil rights lawsuit pursuant to 42 U.S.C. § 1983 is **DISMISSED**.

IT IS SO ORDERED.

SIGNED this the 1st day of September, 2021.


RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE